



General Assembly

## ***Amendment***

***February Session, 2022***

**LCO No. 4579**



Offered by:  
SEN. MARONEY, 14<sup>th</sup> Dist.

To: Subst. Senate Bill No. **185**

File No. 155

Cal. No. 144

### ***"AN ACT CONCERNING COUNTERFEIT, NOVELTY AND UNSAFE LIGHTERS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2022*) (a) For the purposes of  
4 this section:

5 (1) "Counterfeit lighter" means any lighter that infringes on the  
6 intellectual property rights of (A) any citizen of the United States, or (B)  
7 any entity that is protected by any federal or state intellectual property  
8 law;

9 (2) "Lighter" means any electrical or mechanical device that (A)  
10 operates using any type of fuel, including, but not limited to, butane or  
11 another liquid fuel, and (B) is typically used to light a cigarette, cigar or  
12 pipe; and

13 (3) "Unsafe lighter" means (A) any disposable or refillable cigarette or

14 pocket lighter that does not comply with American Society for Testing  
15 and Materials Standard F400-20, as amended from time to time, and (B)  
16 any grill or utility lighter that does not comply with American Society  
17 for Testing and Materials Standard F2201-20, as amended from time to  
18 time.

19 (b) (1) Except as provided in subdivision (2) of this subsection, no  
20 person shall offer or sell any counterfeit lighter or unsafe lighter in this  
21 state, including, but not limited to, by way of providing a free sample to  
22 a person in this state, regardless of whether such person is offering or  
23 selling such lighter on a retail basis, wholesale basis, online or in person.

24 (2) The provisions of this section shall not be construed to prohibit  
25 (A) the interstate transportation of counterfeit lighters or unsafe lighters  
26 through this state, or (B) the storage of counterfeit lighters or unsafe  
27 lighters in any distribution center or warehouse located in this state if  
28 such distribution center or warehouse is closed to the public and does  
29 not distribute or sell, at retail, such lighters to the public.

30 (c) The State Fire Marshal, any local fire marshal empowered to  
31 enforce the State Fire Prevention Code or Fire Safety Code and any  
32 person aggrieved by any violation of subsection (b) of this section may  
33 bring a civil action in the Superior Court to recover damages from the  
34 person who is alleged to have committed such violation."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	New section